

**MONTANA PUBLIC SERVICE COMMISSION
UTILITY DIVISION
AGENDA NO. 05-02-15**

Date Published: February 10, 2005
For Work Week Commencing: February 14, 2005
Commission Meeting: February 15, 2005, 9:00 a.m.

General Introduction This agenda is the Commission's Utility Division agenda for the work week designated. In the later part of each week (generally, Thursday by 2:00 p.m.) prior to the work week to which an agenda pertains, the agenda is posted on the public information bulletin board at the Commission offices, deposited in the mail directed to all persons who have properly requested notice by mail, emailed to all persons who have properly requested notice by email, and posted to the Public Service Commission's worldwide web site located at <http://www.psc.state.mt.us>.

Place of Meetings All meetings are held at the Commission offices, 1701 Prospect Avenue, Helena, Montana, unless otherwise noted.

Inquiries General inquiries concerning this Utility Division agenda and subscribing to notice by mail may be made to Kate Whitney at (406) 444-3056. She may refer inquiries to another person within the agency.

Accommodation for Persons with Disabilities Anyone needing an accommodation for physical, hearing, or sight impairment in order to attend a scheduled meeting should contact the Commission secretary at (406) 444-6199 sufficiently prior to the meeting to allow accommodations to be made.

9:00 a.m. Weekly Scheduling (Commission Conference Room)

9:30 a.m. Business (Bollinger Room)

Public Comments

Action Items All items identified below are for action at the Commission business meeting.

1. NorthWestern Energy, Gas USB D2004.7.99 and D2004.12.192 (Martin)

On February 9, 2005, the Montana Department of Health and Human Services, Intergovernmental Human Services Bureau, filed for intervention in the above consolidated dockets. The time for intervention expired as of February 3, 2005. Staff recommends treating the Department's filing as a request for late intervention. Staff recommends granting late intervention.

Work Sessions All items identified below are for Commission discussion or action on the day designated.

1. **2/14/05 9:30 a.m.** – Legislative – Discuss bills and other matters related to 2005 legislative session (Commission Conference Room). (2/14/05)

2/15/05 9:30 a.m.
2. D2005.2.14 – NorthWestern Energy – Application for Advanced Approval of Certain Proposed Electricity Power Supply Purchase Agreements – Discuss and act on NorthWestern Energy's Motion for Protective Order. (2/15/05)
3. NorthWestern Energy Bankruptcy – Placeholder to report on and get direction on any matter related to the bankruptcy. (2/15/05)
4. Legislative – Discuss bills and other matters related to 2005 legislative sessions. (2/15/05)
5. **2/16/05 9:30 a.m.** – Legislative – Discuss bills and other matters related to 2005 legislative session (Commission Conference Room). (2/16/05)
6. **2/17/05 9:30 a.m.** – Legislative – Discuss bills and other matters related to 2005 legislative session (Commission Conference Room). (2/17/05)
7. **2/18/05 9:30 a.m.** – Legislative – Discuss bills and other matters related to 2005 legislative session (Commission Conference Room). (2/18/05)

Other Meetings

Weekly Scheduling – Will be held at 9:00 a.m. on the day of the Commission Meeting

Notice Items All items identified below are noticed for public participation purposes. Unless otherwise stated in the text of the notice, the items will be action items on the next following agenda or a subsequent agenda and participation may be had by submitting written comments to the Public Service Commission, 1701 Prospect Avenue, P.O. Box 202601, Helena, Montana, 59620-2601, within 5 calendar days following publication of this agenda. Public comments on a noticed matter may also be submitted within the required time through the PSC's web-based comment form at

<http://psc.mt.gov/Consumers/comments>. Comments should reference the docket number of the matter.

1. Qwest Services Corporation N2005.2.15 (Kim)

On February 7, 2005 Qwest filed for Commission approval a Master Service Agreement (MSA) between Qwest and The Kroger Company. This filing was submitted pursuant to *Section 2.18 - Volume and Term Discounts to Large Business Customers with a Multi-State Presence* of Qwest's Exchange and Network Services Tariffs.

2. Sprint Communications, Docket No. N2005.2.16 (Scott)

On February 8, 2005, Sprint filed a revision to their Price list. In this filing Sprint is requesting to introduce standardized text for the following Message Telecommunications Services: SPRINT Service, The Most, The Most II, Sprint Worldwide and Sprint Worldwide II.

Protective Orders – Notice Items The Commission has received the following requests for protective order pursuant to ARM 38.2.5007. The Commission will rule on the requests no earlier than 10 days after the publication date of this agenda. Comments on the requests may be submitted at any time prior to ruling. Any person interested in seeking a copy of a protective order request should contact the Commission at 406-444-6199.

1. NorthWestern Energy D2005.2.14 (AI)

On February 9, 2005, NorthWestern Energy filed a Motion for Protective Order in Docket D2005.2.14, In the Matter of NorthWestern Energy's Application for Advanced Approval of Certain Power Purchase Agreements. NorthWestern Energy is seeking a Protective Order for the following information:

Exhibit A to the Judith Gap I Wind Project Power Purchase Agreement entitled "Contract Rate and
Exhibits SEL-5, SEL-7, SEL-8 and SEL-9 to pre-filed testimony of Steven E. Lewis.

NorthWestern Energy represents that each of these items includes specific quantities, terms, prices and price structures related to individual proposals received by it and that SEL-5, SEL-8 and SEL-9 contain detailed information regarding the rating and evaluation methods used as part of its procurement process.

On February 9, 2005, NorthWestern Energy filed a Supplemental Request of Waiver of Notice Provisions with Respect to NorthWestern Energy's Motion for Protective Order. On February 10, 2005, the Commission granted NorthWestern Energy's Request, and decided that it would consider and act on the Motion on February 15, 2005.

Protective Orders – Information Items The Commission has issued the following protective orders. These orders may be challenged pursuant to ARM 38.2.5008.

Information Items All items identified below are for information only.

New Filings Received in Past Week

D2005.2.14 – NorthWestern Energy – 2005 Electric Resource Advanced Approval Filing

N2005.2.15 – Qwest Corporation and The Kroger Co. – Master Agreement and Amendment

N2005.2.16 – Sprint Communications Company L.P. – Introduce Standardized Text for the Following Message Telecommunications Services: SPRINT Service, The Most, The Most II, Sprint Worldwide and Sprint Worldwide II